

FILE REFERENCE NO: 20141098

ORDINANCE NO: 7772

AN ORDINANCE

SPECIAL LAND USE PERMIT for property in the corporate limits of the City of Marietta, Georgia in Land Lot 12330, District 16, Parcel 0600, 2nd Section, Marietta, Cobb County, Georgia and being known as 66 Olive Street.

WHEREAS, application has been filed by **GREATER COMMUNITY COGIC (CHURCH OF GOD IN CHRIST)** for a Special Land Use Permit for property in the corporate limits of the City of Marietta, Georgia; and,

WHEREAS, following proper notice, a public hearing was held before this body; and,

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, THAT:

Section 1: The following property to wit:

66 Olive Street

All that tract and parcel of land lying and being in Land Lot 1233 of the 16th District, said State and County as aforesaid and being particularly described as follows:

Commencing at a point on the western boundary of Olive Street (said road having a 40 foot right of way), said point being located 100 feet in a generally northerly direction from the intersection of the northerly boundary of Chester Street (said street having a 40 foot right of way) with the westerly boundary of Olive Street (said street having a 40 foot right of way at said point) and as measured along said westerly boundary of said Olive Street; thence leaving said boundary South 86 degrees 13 minutes 00 seconds west 147.00 feet to a point and corner, thence North 00 degrees 19 minutes 17 seconds West 17 feet to a point and corner; thence North 83 degrees 25 minutes 52 seconds East 142.7 feet to a point and corner on the western boundary of Olive Street (said street at said point having a 40 foot right of way); then South 03 degrees 47 minutes 00 seconds East 80.8 feet to the Point of Beginning said property containing .2568 acres more or less and having thereupon a concrete drive and wood shed.

Section 2: The above-described property is hereby granted a Special Land Use Permit for parking for religious assembly and associated uses in the corporate limits in the City of Marietta, Georgia for a period of five years.

Section 3: The following variances are incorporated as part of the Special Land Use Permit approval:

1. Waiver of paving requirements to allow parking on gravel. §716.08.

Section 4: It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

Section 5: All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

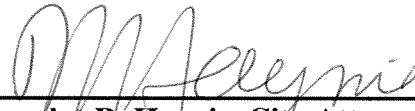
Section 6: This Ordinance shall become effective upon the signature or without the signature of the Mayor, subject to Georgia laws 1983, page 4119.

Final Ordinance submitted by:



**Brian Binzer, Director
Department of Development Services**

Approved as to form:



Douglas R. Haynie, City Attorney

Approved by City Council:

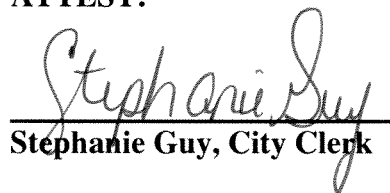
DATE: November 12, 2014

APPROVED:

ATTEST:



R. Steve Tumlin, Jr., Mayor



Stephanie Guy, City Clerk



November 7, 2014

City Of Marietta
Planning Commission
Attn.: Mr. Rusty Roth, Zoning Manager
205 Lawrence Street
Marietta, GA 30060

RE: Petition of Greater Community Church Of God In Christ, Land Lot 12330 and 12340, District 16, Parcels 43, 46, 56, 45, 124, 123, and 60, 2nd Section, Marietta, Cobb County, Georgia and being known as 74 Doran Avenue, 122 Doran Avenue, 439 Chester Street, 114 Doran Avenue, 99 Doran Avenue, 69 Doran Avenue and 66 Olive Street

Dear Mr. Roth:

This correspondence comes as a follow-up to our petition that was heard before the Planning Commission on Wednesday, November 5, 2014. It is our effort to clarify and answer questions that perhaps were not completely answered with reference to our parking request; especially, the 122 Doran lot.

The petition was filed in order to address concerns with reference to growth of the church and limited parking. Observations and concerns include the following:

- the need to ease the flow of traffic in the neighborhood
- the safety of parishioners and pedestrians
- the need to get parked cars off the streets
- to cease parking in front of residences
- to alleviate future code violations and citations

Greater Community strives to make a positive impact in the community and to be a good neighbor. As stated in our initial hearing, we share parking with our neighboring businesses with the exception of one. Our paved parking lot is used 5 days per week by neighboring businesses; we share.

Whether or not the petition is granted through rezoning or a special land use permit, our objective is to become compliant with all city ordinances that affect us as a religious organization and a good neighbor. The four vacant parcels of immediate concern are 69 Doran, 99 Doran, 122 Doran, and 66 Olive. It is our desire to use crush run gravel on these lots. As shown in previously submitted photos, should permission be granted 69 Doran, 99 Doran, and 66 Olive are ready to be graveled.

There was concern about the 122 Doran Avenue lot and what its appearance may be. After the Marietta Fire Department burned down the house, we have since then cleaned the lot. Due to the short period of time before appearing before City Council, we have enclosed a rough draft (not to scale) of the 122 Doran lot. (See rough draft.) This lot is approximately 160'x67'. Construction of this lot would allow 30 additional cars to be safely parked. The color red represents the chain linked fence on the property lines. The color green represents juniper plants to be planted. The layout shows the construction of 3 retaining walls; two of which would be built on property lines. One retaining wall would separate the lot due to the incline of the terrain from Chester Street and Doran Avenue. On this retaining wall, a hand rail will be installed. All of which would be built with pressure-treated landscape timbers (8"x8"). This lot would also be topped with crush run gravel.

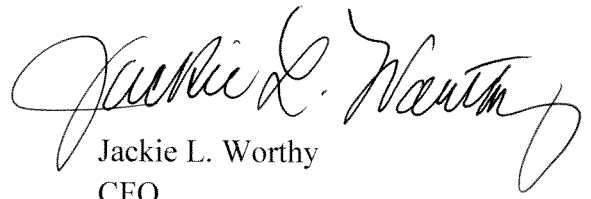
It is our understanding that if our application is approved to gravel the aforementioned lots, we will have five years to do a feasibility study, secure site plans and make the proper application to address our needs at that time.

Thank you for your consideration. Should you have questions or need additional information, please contact Pearl Freeman (404.210.2114) or Jackie Worthy (770.826.0008). We look forward to appearing before City Council on Wednesday, November 12, 2014 at 7:00 p.m.

Sincerely,



W. Pearl Freeman
Board of Directors, President



Jackie L. Worthy
CFO